

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GREGER LEASING CORP., a Nevada	)	No. C-05-5117 SC
corporation,	)	
	)	
Plaintiff,	)	ORDER DENYING
	)	CLAIMANTS' MOTION FOR
v.	)	LEAVE TO FILE MOTION
	)	FOR RECONSIDERATION
Barge PT. POTRERO, official number	)	
523213, <u>in rem</u> , TED BUHL and JANE	)	AND
DOE BUHL, individually, and the	)	
marital community composed thereof;	)	ORDER GRANTING
BUHL DIVING & SALVAGE, a sole	)	CLAIMANTS' MOTION FOR
proprietorship, <u>in personam</u>	)	LEAVE TO RENEW MOTION
	)	<u>FOR COSTS SECURITY</u>
Defendants.	)	
	)	
AND ALL RELATED ACTIONS	)	
	)	

**I. INTRODUCTION**

Following a three-day adversary hearing, this Court issued an Order denying Claimants Riverview Equipment Company, LLC and Jericho Products, Inc. ("Claimants") Motion to Quash Arrest.

Presently before the Court are two motions brought by Claimants. In the first, Claimants move for leave to file a motion for reconsideration and in the second for leave to renew their motion for costs security.

For the reasons stated herein, the Court hereby DENIES Claimants' motion for leave to file a motion for reconsideration and GRANTS Claimants' motion for leave to renew its motion for costs security.

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1     **II.   DISCUSSION**

2           A.   The Court Considered All Material Facts Before Issuing  
3               Its Order

4           Claimants assert that the Court failed to consider all  
5           material facts before issuing its Order.<sup>1</sup> Specifically, Claimants  
6           state that

7               [w]hile the Court did credit Mr. Greger with confirming to  
8               the Lind brothers that his deal with Buhl was "all good," it  
9               did not acknowledge or address the testimony that Mr. Greger  
10              expressly stated he was not going to enforce any "maritime  
11              lien" against the barge.

12          Claimants' Memorandum in Support of Motion for Leave to File a  
13          Motion for Reconsideration at 2 ("Clmts'. Mem.")

14           As stated in its Order denying Defendants' motion for leave  
15           to file for reconsideration, because the Court did consider all  
16           material facts, including the testimony of all witnesses, prior to  
17           issuing its Order, Claimants' motion for reconsideration is  
18           unwarranted and futile. Accordingly, the Court hereby DENIES  
19           Claimants' motion for leave to file a motion for reconsideration.

20     **III. MOTION FOR LEAVE TO RENEW MOTION FOR COSTS SECURITY**

21           Claimants ask the Court for leave to renew their motion for  
22           costs security. Id. at 1.

23           In its April 5, 2006 Order Re Motion to Quash Arrest and to  
24           Compel Arbitration, the Court stated that it would allow Claimants  
25           an opportunity to renew their motion for costs security. See  
26           Docket No. 82 at 8. In accordance with that Order, the Court  
27           GRANTS Claimants' motion for leave to renew their motion for costs

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28           <sup>1</sup> Detailed descriptions of the facts have been set forth in  
previous Orders of this Court.

1 security.

2 **IV. CONCLUSION**

3 Because the Court considered all relevant evidence before  
4 issuing its previous Order Re Motion to Quash Arrest, the Court  
5 DENIES Claimants' motion for leave to file a motion for  
6 reconsideration.

7 The Court, in accordance with that same Order, will allow  
8 Claimants to renew their motion for costs security. Claimants'  
9 motion for leave to so file is GRANTED. As soon as possible,  
10 Claimants should schedule a motion hearing date with the Court.

11 IT IS SO ORDERED.

12  
13 Dated: June 26, 2006

14  
15   
16 UNITED STATES DISTRICT JUDGE